

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CARL G. SIMPSON, et al,

Plaintiff(s)

vs.

INTERMET CORPORATION, et al,

Defendant(s)

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Case Number: 1:00cv00014-SJD

District Judge Susan J. Dlott

ORDER

This case came on for a preliminary pretrial conference pursuant to Fed. R. Civ. P. 16 at 11:00 a.m. on January 9, 2004. All parties of record participated by their trial attorneys of record, Scott Bowling on behalf of the plaintiff and Lawrence Barty, Patricia Pryor and Nancy Bride on behalf of the defendant. Based upon such conference, the Court hereby sets the following schedule:

1. Dates to exchange lists of expert witnesses  
and furnish copies of expert reports  
Plaintiff  
Defendant
2. Discovery cutoff 04/01/04
3. Last date to file dispositive motions not directed to  
the pleadings. (E.g. summary judgment motions) 05/03/04  
Memoranda contra due 05/27/04  
Reply Memoranda due 06/10/04

(These dates apply to any summary judgment motions filed on the last date allowed; dispositive

motions filed earlier in the case shall be treated in accordance with S.D. Ohio L. R. 7.2).

4. Final Pretrial Conference at 1:30 p.m. 08/27/04

5. Trial to a Jury commencing at 9:30 a.m. 09/27/04

In accordance with S.D. Ohio Civ. R. 37.1, objections, motions, applications and requests relating to discovery shall not be filed with the Court by any party, unless counsel has first exhausted, among themselves, all extrajudicial means of resolving their differences. After said means are exhausted, then, in lieu of filing a motion under Rules 26 and 37 of the Federal Rules of Civil Procedure, counsel must notify the Court seeking a conference.

All discovery shall be requested by the discovery cutoff date. Parties who undertake to extend discovery by agreement beyond the cutoff date without Court approval do so at the risk the Court may not permit its completion prior to trial. Counsel shall keep the Court currently advised of the status of discovery in this case and promptly bring to the Court's attention any discovery disputes requiring court resolution.

This Court has an additional condition to S.D. Ohio Civ. R. 7.2(a)(3). Any brief and/or memoranda in support of or in opposition to any motion in this Court shall not exceed twenty pages without first obtaining leave of Court. A motion for leave must set forth the reasons excess pages are required and the number of pages sought. If leave of Court is granted, counsel must include: (1) a table of contents indicating the main sections of the memorandum, the arguments made in each section, and the pages on which each section and subsection may be found; and (2) a succinct, clear, and accurate summary not to exceed five pages of the principal arguments made and citations to the primary authorities relied upon in the memorandum. The parties shall provide an appendix including copies of all out-of-state decisions and all unpublished decisions. All briefs and memoranda shall comply with the formal requirements of S.D. Ohio Civ. R. 7.2.

In an effort to encourage settlements, the Court may schedule a settlement conference at any time. Counsel also may request that a conference be scheduled at any time when it appears such a conference would be fruitful. Each counsel will be required to prepare and submit a letter no longer than five pages to the Court one week prior to the conference with a synopsis of the case and the status of any settlement negotiations to date. These letters are ex parte and should not be filed with the Clerk's Office nor exchanged with opposing counsel.

The attention of counsel is called to amendments to the Federal Rules of Civil Procedure which became effective December 1, 1993, particularly with respect to expert reports.

IT IS SO ORDERED.

s/Susan J. Dlott  
Susan J. Dlott  
United States District Judge